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FM AMEMBASSY JAKARTA

TO RUEHC/SECSTATE WASHDC IMMEDIATE 0108

INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY

RUEHBJ/AMEMBASSY BEIJING 5397

RUEHBY/AMEMBASSY CANBERRA 3039

RUEHLM/AMEMBASSY COLOMBO 1299

RUEHKA/AMEMBASSY DHAKA 1269

RUEHPB/AMEMBASSY PORT MORESBY 3990

RUEHNE/AMEMBASSY NEW DELHI 2236

RUEHUL/AMEMBASSY SEOUL 4912

RUEHWL/AMEMBASSY WELLINGTON 3074

RUEHBAD/AMCONSUL PERTH 1132

RUEHHK/AMCONSUL HONG KONG 2966

RUEAIIA/CIA WASHDC

RHEFDIA/DIA WASHINGTON DC

RHEHNSC/NSC WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 001756

SIPDIS

DEPT FOR EAP, EAP/MTS, EAP/MLS, DRL/AWH
NSC FOR E. PHU

E.O. 12958: DECL: 09/16/2018

TAGS: PGOV PHUM KISL ID

SUBJECT: ISLAMIC PARTIES PUSH CONTROVERSIAL
ANTI-PORNOGRAPHY BILL

REF: A. JAKARTA 939

1B. 07 JAKARTA 3159 AND PREVIOUS

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Classified By: Pol/C Joseph L. Novak, reasons 1.4(b+d).

11. (C) SUMMARY: Recent political maneuvering within the Indonesian Parliament (DPR) has all but ensured the passage of a controversial anti-pornography bill. The bill is being pushed through by the Islamic-oriented Prosperous Justice Party (PKS). The vote is scheduled for later this month. Critics of the bill see it as overly broad, as a threat to personal privacy, and as a surrender to Islamic groups. They might take the matter to court. With elections next year, many politicians are seeking to curry favor with Muslim conservatives, which gives the bill some traction. END
SUMMARY.

PRESSING AN ANTI-PORNOGRAPHY BILL

12. (C) The bill was first introduced in 2001, but shot down by then-President Megawati (Ref B). In 2005, President Yudhoyono formally submitted the legislation and called for swift passage in an apparent maneuver to gain support from Muslim conservatives. The bill has received much criticism from women's and human rights groups who see it as overly broad and a threat to personal privacy (see more below).

13. (U) Article 1 of the bill defines pornography as "any man-made work" that includes sexual materials in the form of drawings, sketches, illustrations, photographs, text, sound, moving pictures, animation, cartoons, poetry, conversations or any other form of "communicative message." The bill claims pornographic images shown through the media can "arouse lust and lead to the violation of normative values within society." Articles 9 and 11 are said by critics to criminalize the victims of pornography--namely women and children--and Article 21 would allow ordinary citizens to take preventative measures into their own hands. Critics see this as effectively allowing hardliners to use violence against others legally.

BILL HAS SUPPORT IN PARLIAMENT

¶4. (C) The PKS is the major force behind the bill, referring to it as a "Ramadan gift" to the Indonesian people. That said, the bill is being supported by many of the major parties, including: Golkar (the largest party); the United Development Party (PPP); and, the Crescent Star Party (PBB). It's pretty clear that these parties have enough support to get the bill approved in Parliament.

¶5. (C) The National Awakening Party (PKB) and National Mandate Party (PAN) are still undecided. In the meantime, the secular-oriented Indonesian Democratic Party of Struggle (PDI-P) and Prosperous Peace Party (PDS)--a Christian party--stand in opposition. Staunch opponent of the bill, PDI-P lawmaker Eva Sundari told us, "We are boycotting the process, because we can't have a dialogue on articles we disagree with. They just pushed for a vote to settle every contentious matter..and they are moving forward without us." Golkar politician Harry Azhar reportedly said the passage of the bill seemed inevitable barring widespread political action across the country.

¶6. (SBU) We have heard that the bill may be "tested" in three cities before it is approved: Makassar in South Sulawesi; Ambon in Maluku; and, Banjarmasin in East Kalimantan. Contacts are not sure how this would work out in practice.

DEEP CONCERNS

¶7. (C) Civil society groups have threatened to file a complaint with the Constitutional Court to have the bill

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revoked should the bill pass the Parliament. Meanwhile, the National Commission on Violence Against Women (KOMNAS PEREMPUAN), along with a coalition of NGOs and the Women's Legal Aid Foundation (LBH APIK), said they would ask the Parliament to delay deliberation of the bill as "it would only serve to spark unrest within society." They also claimed that the DPR was in a rush to pass the bill, saying it didn't make sense to only pick three cities to test it. In the meantime, there have been regional concerns, with representatives from other areas in this multi-ethnic, multi-cultural country asserting that they have not been brought into the process.

A NOD TO ISLAMIC GROUPS

¶8. (C) Facing elections next year, the President and his supporters apparently hope to gain the favor of Muslim conservatives via their support of the bill. At this point, the bill seems to have enough support to pass. All that said, there is deep concern in many quarters and the situation has not quite played out. Our guess is that the bill will move forward amid continued controversy.

HUME